

Lead, APPEAL

**U.S. Bankruptcy Court
Southern District of New York (Manhattan)
Bankruptcy Petition #: 24-12291-mg**

Date filed: 12/09/2024

Assigned to: Judge Martin Glenn
Chapter 15
Voluntary

Debtor

InterCement Brasil S.A.

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13th Floor
Sao Paulo, Sao Paulo 04578-000
OUTSIDE U. S.
BRAZIL
Tax ID / EIN: 00-0000000

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Foreign Representative

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U.S. Trustee**United States Trustee**

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Filing Date	#	Docket Text
12/09/2024	<u>1</u>	Chapter 15 Petition for Recognition of Foreign Proceeding . Fee Amount \$1738 Filed by John K. Cunningham of White & Case, LLP on behalf of InterCement Brasil S.A., Antonio Reinaldo Rabelo Filho. (Attachments: # <u>1</u> Exhibit A – 1515(c) Statement # <u>2</u> Exhibit B – 1007(a) Statement # <u>3</u> Exhibit C – Corporate Ownership Statement) (Cunningham, John) (Entered: 12/09/2024)
12/09/2024	<u>2</u>	Motion to Approve / <i>Petitioner's Declaration and Verified Petition for Recognition of the Brazilian Proceeding and Motion for Order Granting Related Relief Pursuant to 11 U.S.C. §§ 105(a), 1515, 1517, 1520, and 1521</i> filed by John K. Cunningham on behalf of Antonio Reinaldo Rabelo Filho. (Attachments: # <u>1</u> Exhibit A – Proposed Order # <u>2</u> Exhibit B – Notice Parties # <u>3</u> Exhibit C – Organizational Chart # <u>4</u> Exhibit D – Rabelo Trial Declaration # <u>5</u> Exhibit E – WHOA Extension Order (Original) # <u>6</u> Exhibit F – WHOA Extension Order (Machine Translation)) (Cunningham, John) (Entered: 12/09/2024)
12/09/2024	<u>3</u>	Motion for Joint Administration / <i>Motion for an Order Directing the Joint Administration of the Chapter 15 Cases of InterCement Brasil S.A. and its Debtor Affiliates Pursuant to Section 105(a) of the Bankruptcy Code and Bankruptcy Rule 1015(b)</i> filed by John K. Cunningham on behalf of Antonio Reinaldo Rabelo Filho. (Attachments: # <u>1</u> Exhibit A – Proposed Order) (Cunningham, John) (Entered: 12/09/2024)
12/09/2024	<u>4</u>	Declaration of Ana Elisa Laquimia Pursuant 28 U.S.C. § 1746 in Support of the <i>Petitioner's Declaration and Verified Petitioner for Recognition of the Brazilian Proceeding and Motion for Order Granting Related Relief Pursuant to 11 U.S.C. §§ 105(a), 1515, 1517, 1520, and 1521</i> filed by John K. Cunningham on behalf of Antonio Reinaldo Rabelo Filho. (Attachments: # <u>1</u> Exhibit A – RJ Petition (Original) # <u>2</u> Exhibit B – RJ Petition (Certified Translation) # <u>3</u> Exhibit C – RJ Acceptance Order (Original) # <u>4</u> Exhibit D – RJ Acceptance Order (Certified Translation) # <u>5</u> Exhibit E – EJ Dismissal Order (Original) # <u>6</u> Exhibit F – EJ Dismissal Order (Certified Translation)) (Cunningham, John) (Entered: 12/09/2024)
12/09/2024	<u>5</u>	Motion for Provisional Relief under 11 U.S.C. Section 1519 , <i>105(a) and 362</i> filed by John K. Cunningham on behalf of Antonio Reinaldo Rabelo Filho. (Attachments: # <u>1</u> Exhibit A – Proposed Order) (Cunningham, John) (Entered: 12/09/2024)
12/10/2024	<u>6</u>	Order signed on 12/10/2024 Directing Joint Administration of Case Numbers 24–12291, 24–12295, 24–12296 & 24–12297. (Related Doc # <u>3</u>). The docket in Case No. 24–12291 should be consulted in all matters affecting or related to this case. (Anderson, Deanna) (Entered: 12/10/2024)
12/10/2024	<u>7</u>	Order signed on 12/10/2024 Scheduling Case Management Conference. Conference to be held on 12/16/2024 at 11:00 AM at Videoconference (ZoomGov) (MG). (Anderson, Deanna) (Entered: 12/10/2024)

12/13/2024	<u>23</u>	Statement / <i>The Ad Hoc Group of IC Financial Noteholders' Preliminary Statement and Reservation of Rights Regarding the Petitioner's Declaration and Verified Petition and Motion for Provisional Relief</i> filed by Luke A Barefoot on behalf of Ad Hoc Group of 2024 Noteholders. (Barefoot, Luke) (Entered: 12/13/2024)
12/15/2024	<u>24</u>	Statement , Response / <i>Petitioner's Statement in Reply to the Ad Hoc Group's Preliminary Statement and Reservation of Rights</i> (related document(s) <u>23</u>) filed by John K. Cunningham on behalf of Antonio Reinaldo Rabelo Filho. (Cunningham, John) (Entered: 12/15/2024)
12/15/2024	<u>25</u>	Statement / <i>Notice of Filing of Certified Translation of December 5, 2024 Dutch Court Order</i> (related document(s) <u>1, 2</u>) filed by John K. Cunningham on behalf of Antonio Reinaldo Rabelo Filho. (Cunningham, John) (Entered: 12/15/2024)
12/16/2024	<u>26</u>	Order Signed on 12/16/2024 Granting Provisional Relief. (related document(s) <u>5</u>) (Anderson, Deanna) (Entered: 12/16/2024)
12/17/2024	<u>27</u>	Order signed on 12/17/2024 Granting Provisional Relief (Related Doc # <u>5</u>). (Anderson, Deanna) (Entered: 12/17/2024)
01/15/2025	<u>30</u>	Statement / <i>Petitioner's Brief on COMI Determination as of the December 9, 2024 Filing Date for Chapter 15 Debtors IC Financial and ITI</i> (related document(s) <u>2</u>) filed by John K. Cunningham on behalf of Antonio Reinaldo Rabelo Filho. (Attachments: # <u>1</u> Exhibit A # <u>2</u> Exhibit B # <u>3</u> Exhibit C # <u>4</u> Exhibit D # <u>5</u> Exhibit E # <u>6</u> Exhibit F) (Cunningham, John) (Entered: 01/15/2025)
01/15/2025	<u>31</u>	Declaration of Antonio Reinaldo Rabelo Filho Pursuant to 28 U.S.C. § 1746 in Support of the Petitioner's Brief on COMI Determination as of the December 9, 2024 Filing Date for Chapter 15 Debtors IC Financial and ITI (related document(s) <u>30</u>) filed by John K. Cunningham on behalf of Antonio Reinaldo Rabelo Filho. (Cunningham, John) (Entered: 01/15/2025)
01/15/2025	<u>32</u>	Declaration of Professor Dr. Matthias Haentjens Pursuant to 28 U.S.C. § 1746 in Support of the Petitioner's Brief on COMI Determination as of the December 9, 2024 Filing Date for Chapter 15 Debtors IC Financial and ITI (related document(s) <u>30</u>) filed by John K. Cunningham on behalf of Antonio Reinaldo Rabelo Filho. (Cunningham, John) (Entered: 01/15/2025)
01/24/2025	<u>33</u>	Certificate of Service (related document(s) <u>26, 30, 32, 31, 27</u>) filed by John K. Cunningham on behalf of Antonio Reinaldo Rabelo Filho. (Cunningham, John) (Entered: 01/24/2025)
01/27/2025	<u>34</u>	Statement of Notifying the Court of Developments in the Foreign Proceedings in Brazil Pursuant to 11 U.S.C. § 1518 and 28 U.S.C. § 1746 filed by John K. Cunningham on behalf of Antonio Reinaldo Rabelo Filho. (Attachments: # <u>1</u> Exhibit A – Certified Translation of Spanish Recognition Order) (Cunningham, John) (Entered: 01/27/2025)
01/28/2025	<u>35</u>	Statement / <i>Notice of Amended Exhibit to Statement of Notifying the Court of Developments in the Foreign Proceedings in Brazil Pursuant to 11 U.S.C. § 1518 and 28 U.S.C. § 1746</i> (related document(s) <u>34</u>) filed by John K. Cunningham on behalf of Antonio Reinaldo Rabelo Filho. (Attachments: # <u>1</u> Exhibit A – Amended Certified Translation of Spanish Recognition Order) (Cunningham, John) (Entered: 01/28/2025)

01/28/2025		<u>36</u>	Notice of Presentment of the Joint Stipulation of the Petitioner, the Ad Hoc Group of IC Financial Noteholders, and the Indenture Trustee filed by John K. Cunningham on behalf of Antonio Reinaldo Rabelo Filho. Objections due by 2/5/2025, (Attachments: # <u>1</u> Exhibit A – Joint Stipulation of the Petitioner, the Ad Hoc Group of IC Financial Noteholders, and the Indenture Trustee)(Cunningham, John) (Entered: 01/28/2025)
01/31/2025		<u>37</u>	Motion to File Under Seal /Ad Hoc Group's Motion for Authority to Redact and File Certain Information Under Seal in Connection with the Ad Hoc Group's (i) Objection to the Petitioner's Verified Petition and (ii) Opposition to the Petitioner's Brief of COMI Determination as of the December 9, 2024 Filing Date for Chapter 15 Debtors IC Financial and ITI filed by Luke A Barefoot on behalf of Ad Hoc Group of 2024 Noteholders. (Barefoot, Luke) (Entered: 01/31/2025)
01/31/2025		<u>38</u>	Notice of Presentment of the Petitioner's and the Ad Hoc Group's Joint Stipulation of Facts filed by John K. Cunningham on behalf of Antonio Reinaldo Rabelo Filho. Objections due by 2/10/2025, (Attachments: # <u>1</u> Exhibit A)(Cunningham, John) (Entered: 01/31/2025)
01/31/2025		<u>39</u>	Objection / Ad Hoc Group's (i) Objection to the Petitioner's Verified Petition and (ii) Opposition to the Petitioner's Brief of COMI Determination as of the December 9, 2024 Filing Date for Chapter 15 Debtors IC Financial and ITI [REDACTED] (related document(s) <u>30</u> , <u>2</u>) filed by Luke A Barefoot on behalf of Ad Hoc Group of 2024 Noteholders. (Barefoot, Luke) (Entered: 01/31/2025)
01/31/2025		<u>40</u>	Declaration of Thomas Q. Lynch in Support of Ad Hoc Group's (i) Objection to the Petitioner's Verified Petition and (ii) Opposition to the Petitioner's Brief of COMI Determination as of the December 9, 2024 Filing Date for Chapter 15 Debtors IC Financial and ITI (related document(s) <u>39</u>) filed by Luke A Barefoot on behalf of Ad Hoc Group of 2024 Noteholders. (Attachments: # <u>1</u> Exhibit 1 # <u>2</u> Exhibit 2 # <u>3</u> Exhibit 3 # <u>4</u> Exhibit 4 # <u>5</u> Exhibit 5 # <u>6</u> Exhibit 6 # <u>7</u> Exhibit 7 # <u>8</u> Exhibit 8 # <u>9</u> Exhibit 9 # <u>10</u> Exhibit 10) (Barefoot, Luke) (Entered: 01/31/2025)
01/31/2025		<u>41</u>	Opposition Joinder to Ad Hoc Group's (i) Objection to the Petitioner's Verified Petition and (ii) Opposition to the Petitioner's Brief of COMI Determination as of the December 9, 2024 Filing Date for Chapter 15 Debtors IC Financial and ITI (related document(s) <u>39</u> , <u>30</u> , <u>2</u>) filed by Tung-Yu Charlie Liu on behalf of UMB Bank, N.A., as Trustee for the Senior Notes due 2024. (Liu, Tung-Yu) (Entered: 01/31/2025)
02/06/2025		<u>43</u>	Joint Stipulation of the Petitioner, the Ad Hoc Group of IC Financial Noteholders, and the Indenture Trustee Signed on 2/6/2025. (related document(s) <u>36</u>) (Anderson, Deanna) (Entered: 02/06/2025)
02/07/2025		<u>45</u>	Reply to Motion / Petitioner's Omnibus Reply on COMI Determination as of the December 9, 2024 Filing Date for Chapter 15 Debtors IC Financial and ITI filed by John K. Cunningham on behalf of Antonio Reinaldo Rabelo Filho. (Cunningham, John) (Entered: 02/07/2025)
02/07/2025		<u>46</u>	Declaration of Guillermo Ruiz Medrano in Support of Petitioner's Verified Petition for Recognition of the Brazilian RJ Proceeding Pursuant to 28 U.S.C. § 1746 (related document(s) <u>2</u>) filed by John K. Cunningham on behalf of Antonio Reinaldo Rabelo Filho. (Cunningham, John) (Entered: 02/07/2025)

02/11/2025	<u>49</u>	The Petitioner's and the Ad Hoc Group's Joint Stipulation of Fact Signed on 2/11/2025. (related document(s) <u>38</u>) (Anderson, Deanna) (Entered: 02/11/2025)
03/03/2025	<u>52</u>	Statement /Notice of Supplemental Exhibits to Declaration of Thomas Q. Lynch in Support of Ad Hoc Group's Objection to Verified Petition and Verified Supplement. (related document(s) <u>40</u>) filed by Luke A Barefoot on behalf of Ad Hoc Group of 2024 Noteholders. (Barefoot, Luke) (Entered: 03/03/2025)
03/12/2025	<u>54</u>	Statement / Notice of Developments in Foreign Proceedings filed by Luke A Barefoot on behalf of Ad Hoc Group of 2024 Noteholders. (Barefoot, Luke) (Entered: 03/12/2025)
03/13/2025	<u>55</u>	Order, Signed on 3/13/2025, Requiring Update Regarding Foreign Proceedings. (related document(s) <u>54</u>) (Anderson, Deanna) (Entered: 03/13/2025)
03/14/2025	<u>56</u>	Statement Notifying the Court of Developments in the Foreign Proceedings in Brazil Pursuant to 11 U.S.C. § 1518 and 28 U.S.C. § 1746 filed by John K. Cunningham on behalf of Antonio Reinaldo Rabelo Filho. (Attachments: # <u>1</u> Exhibit A # <u>2</u> Exhibit B) (Cunningham, John) (Entered: 03/14/2025)
03/19/2025	<u>58</u>	Notice of Proposed Order / Notice of Proposed Corrected Order Granting Provisional Relief (related document(s) <u>5</u> , <u>26</u> , <u>27</u>) filed by John K. Cunningham on behalf of Antonio Reinaldo Rabelo Filho. (Attachments: # <u>1</u> Exhibit A – Proposed Order # <u>2</u> Exhibit B – Redline)(Cunningham, John) (Entered: 03/19/2025)
03/20/2025	<u>60</u>	Corrected Order Granting Provisional Relief Signed on 3/20/2025. (related document(s) <u>58</u>) (Anderson, Deanna) (Entered: 03/20/2025)
03/21/2025	<u>61</u>	Statement Notifying the Court of Developments in the Foreign Proceedings Pursuant to 11 U.S.C. § 1518 and 28 U.S.C. § 1746 filed by John K. Cunningham on behalf of Antonio Reinaldo Rabelo Filho. (Attachments: # <u>1</u> Exhibit A # <u>2</u> Exhibit B) (Cunningham, John) (Entered: 03/21/2025)
03/31/2025	<u>63</u>	Memorandum Opinion And Order signed on 3/31/2025 Recognizing Foreign Main Proceedings. (related document(s) <u>39</u> , <u>30</u> , <u>2</u>) (Rodriguez–Castillo, Maria) (Entered: 03/31/2025)
04/02/2025	<u>64</u>	Statement / Notice of Supplemental Exhibits to Notice of Developments in Foreign Proceedings (related document(s) <u>54</u>) filed by Luke A Barefoot on behalf of Ad Hoc Group of 2024 Noteholders. (Barefoot, Luke) (Entered: 04/02/2025)
04/06/2025	<u>65</u>	Statement Notifying the Court of Developments in the Foreign Proceedings Pursuant to 11 U.S.C. § 1518 and 28 U.S.C. § 1746 filed by John K. Cunningham on behalf of Antonio Reinaldo Rabelo Filho. (Attachments: # <u>1</u> Exhibit A # <u>2</u> Exhibit B # <u>3</u> Exhibit C) (Cunningham, John) (Entered: 04/06/2025)
04/07/2025	<u>66</u>	Statement Notifying the Court of Developments in the Foreign Proceedings Pursuant to 11 U.S.C. § 1518 and 28 U.S.C. § 1746 filed by John K. Cunningham on behalf of Antonio Reinaldo Rabelo Filho. (Attachments: # <u>1</u> Exhibit A # <u>2</u> Exhibit B) (Cunningham, John) (Entered: 04/07/2025)

			04/07/2025)
04/14/2025		<u>68</u>	Notice of Appeal (related document(s) <u>63</u>) filed by Luke A Barefoot on behalf of Ad Hoc Group of 2024 Noteholders. (Attachments: # <u>1</u> SDNY Civil Cover Sheet)(Barefoot, Luke) (Entered: 04/14/2025)
04/14/2025		<u>69</u>	Notice of Appeal (related document(s) <u>63</u>) filed by Oscar N. Pinkas on behalf of UMB Bank, N.A., as Trustee for the Senior Notes due 2024. (Attachments: # <u>1</u> Exhibit SDNY Civil Cover Sheet)(Pinkas, Oscar) (Entered: 04/14/2025)
04/21/2025		<u>73</u>	Statement / Notice of Filing of Certified Translations of the March 21, 2025 Dutch Court Order and April 4, 2025 Brazilian Bankruptcy Court Order (related document(s) <u>61</u>) filed by John K. Cunningham on behalf of Antonio Reinaldo Rabelo Filho. (Attachments: # <u>1</u> Exhibit A # <u>2</u> Exhibit B) (Cunningham, John) (Entered: 04/21/2025)
04/28/2025		<u>75</u>	Statement / Notice of Filing of Certified Translation of the April 4, 2025 Dutch Court Order (related document(s) <u>66</u>) filed by John K. Cunningham on behalf of Antonio Reinaldo Rabelo Filho. (Attachments: # <u>1</u> Exhibit A) (Cunningham, John) (Entered: 04/28/2025)
04/28/2025		<u>76</u>	Statement of Issues , Designation of Contents (appellant). (related document(s) <u>68</u>) filed by Luke A Barefoot on behalf of Ad Hoc Group of 2024 Noteholders. (Barefoot, Luke) (Entered: 04/28/2025)
04/28/2025		<u>77</u>	Statement of Issues <i>to be Presented on Appeal</i> , Designation of Contents (appellant). (related document(s) <u>69</u>) filed by Oscar N. Pinkas on behalf of UMB Bank, N.A., as Trustee for the Senior Notes due 2024. (Pinkas, Oscar) (Entered: 04/28/2025)
05/12/2025		<u>78</u>	Counter Designation (appellee) / <i>Appellees' Designation of Additional Items to be Included in the Record on Appeal</i> (related document(s) <u>76</u> , <u>77</u>) filed by John K. Cunningham on behalf of Antonio Reinaldo Rabelo Filho. (Cunningham, John) (Entered: 05/12/2025)